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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

## USA COMMERCIAL MORTGAGE COMPANY,

## Debtor.

Case No. BK-S-06-10725-LBR

## Chapter 11

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**NOTICE OF HEARING RE  
MOTION OF USACM  
LIQUIDATING TRUST TO  
APPROVE PROOFS OF CLAIM  
BASED UPON INVESTMENT IN  
THE PLACER II LOAN**

Date of Hearing: July 26, 2011  
Time of Hearing: 1:30 p.m.  
Estimated Time For Hearing: 10 minutes

**NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and through its counsel, has filed a Motion To Approve Proofs of Claim Based Upon Investment in the Placer II Loan [DE 8436], requesting that the Court enter an order allowing the unsecured claims filed by direct lender claimants based upon investment in the Placer II Loan, which claims total \$2,508,322.22. Relief is sought pursuant to 11 U.S.C. § 502 and Bankruptcy Rule 3007. Information regarding the proofs of claim that the USACM Liquidating Trust seeks to allow is provided in **Exhibit A** attached to the Motion.

1           **NOTICE IS FURTHER GIVEN** that the hearing on the Motion will be held  
2 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal  
3 Building, 300 Las Vegas Blvd. South, 3<sup>rd</sup> Floor, Courtroom No. 1, Las Vegas, Nevada on  
4 **July 26, 2011, at the hour of 1:30 p.m.**

5           **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON JULY 26,**  
6 **2011, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND**  
7 **SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE**  
8 **HEARD ON THAT DATE.**

9           **NOTICE IS FURTHER GIVEN** that pursuant to Local Rule 9014(d), any  
10 response to the objection must be filed and service must be completed no later than  
11 **fourteen (14) days** preceding the hearing date. The opposition must set forth all relevant  
12 facts and any relevant legal authority.

13           If you object to the relief requested, you *must* file a **WRITTEN** response to this  
14 pleading with the Court. You *must* also serve your written response on the person who  
15 sent you this notice.

16           If you do not file a written response with the Court, or if you do not serve your  
17 written response on the person who sent you this notice, then:

- 18           • The Court may *refuse to allow you to speak* at the scheduled hearing; and
- 19           • The Court may *rule against you* and sustain the objection without formally  
20           calling the matter at the hearing.

1 Dated: June 13, 2011.

2 LEWIS AND ROCA LLP

3  
4 By s/ John Hinderaker (AZ 18024)  
5 Robert M. Charles, Jr., NV 6593  
6 John Hinderaker, AZ 18024 (*pro hac vice*)  
7 3993 Howard Hughes Parkway, Suite 600  
8 Las Vegas, Nevada 89169  
E-mail: JHinderaker@lrlaw.com  
*Attorneys for the USACM Liquidating Trust*

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10 Copy of the foregoing mailed by First  
11 Class postage prepaid U.S. Mail on  
June 13, 2011 to all parties listed on  
Exhibit A attached to the objection.

12 LEWIS AND ROCA LLP

13  
14 s/ Matt Burns  
Matt Burns  
Lewis and Roca LLP

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